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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/385,315	08/30/1999	WILLIAM M. PARROTT	008193-20002	8973

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LIBBY HOPE, ESQ.
12400 WILSHIRE BLVD.
7TH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER	
VAUGHN JR, WILLIAM C	
ART UNIT	**PAPER NUMBER**
2143	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/385,315	PARROTT, WILLIAM M.	
	Examiner	Art Unit	
	William C. Vaughn, Jr.	2143	

-- The MAILING DATE of this communication appears on the cov r sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 September 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17,21 and 22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17,21 and 22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*. See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

WCV

DETAILED ACTION

1. This Action is in regards to the Amendment and Response received on 21 September 2004.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 21 September 2004 has been entered.

3. The application has been examined. Claims 1-17, 21 and 22 are pending. The Examiner also acknowledges the cancellation of claims 18-20 and 23. The objections and rejections cited are as stated below:

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. **Claims 1, 2, 4-11, 13-17, 21 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, UK Patent Application 234920 in view of Sulavuori et al. (Sulavuori), U.S. Patent No. 5,636,264 in view of Haartsen, U.S. Patent No. 6,574,266.

6. Regarding **claim 1**, Kobayashi discloses the invention substantially as claimed. Kobayashi discloses *an adapter* (Kobayashi teaches an option apparatus, infrared type

connection apparatus, portable phone antenna and base station), [see Kobayashi, page 1, lines 4-7, page 2 line1, apparatus 1, see figure 2a, Figure 5b, page 35, line 23-27 & page 36, line 1], *comprising: an infrared transceiver* (Kobayashi teaches an Infrared Transmitter/Receiver circuit), [see Kobayashi, page 14, lines 12-15] *to transmit and receive information to and from an infrared data port* [see Kobayashi, page 35, lines 23-27]*; a radio frequency transceiver* (Kobayashi teaches Radio Transmitter/Receiver circuit), [see Kobayashi, page 12, lines 15-20] *to transmit and receive information to and from a radio frequency data system* [see Kobayashi, Page 36, lines 1-4]*; and a processor* [Kobayashi teaches a control circuit], [see Kobayashi, page 13, line 5-6, page 15, lines 5-25 and page 35, lines 7-9] *coupled to the infrared transceiver and the radio frequency transceiver* [see Kobayashi, page 9, lines 8-11, page 15, lines 18-25]. Eventhough, Kobayashi does imply well-known techniques of conversions of signals [see Kobayashi, page 17, lines 17-27, page 18, lines 1-17 and page 20, lines 2-21]. Eventhough, Kobayashi does provide for a control circuit (processor) that converts signals. However, Kobayashi does not explicitly disclose the details of the converting information from the infrared transceiver to a radio frequency format for transfer to the radio frequency data system and to convert information received from the radio frequency transceiver to an infrared format for transfer to the infrared data port.

7. In the same field of endeavor, Sulavuori discloses (e.g., radio telephone which utilizes an infrared signal communication link). Sulavuori discloses *converting information from the infrared transceiver to a radio frequency format for transfer to the radio frequency data system and to convert information received from the radio frequency transceiver to an infrared format*

for transfer to the infrared data port [see Sulavuori, Col. 8, lines 47-67, Col. 9, lines 1-28 and Col. 10, lines 5-14].

8. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Sulavuori's teachings of an radio telephone which utilizes an infrared signal communication link with the teachings of Kobayashi, for the purpose of providing reliable communication between a radio transceiver and an external device, while maintaining a very low power consumption [see Sulavuori, Col. 2, lines 31-60]. However, Kobayashi-Sulavuori does not explicitly disclose a Bluetooth transceiver via Bluetooth interface and Bluetooth protocol.

9. In the same field of endeavor, Haartsen discloses (e.g., a systems that provides for low power consumption and still obtaining fast connection setups). Haartsen discloses Bluetooth transceiver, Bluetooth interface and Bluetooth protocol (Haartsen teaches a Bluetooth system that has a transmitting section and a receiving section), [see Haartsen, Col. 4, lines 6-63].

10. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Haartsen's teachings of a systems that provides for low power consumption and still obtaining fast connection setups with the teachings of Kobayashi-Sulavuori. Kobayashi provides motivation to combine by stating the need to be able to transmit and receive signals via the public network between a Portable device and other apparatuses [see Kobayashi, page 7]. By this rationale **claim 1** is rejected.

11. Regarding **claim 2**, Kobayashi-Sulavuori and Haartsen discloses *comprising a buffer to provide temporary storage for information converted by the processor* (Kobayashi teaches a memory circuit), [see Kobayashi, page 13 line 15]. By this rationale **claim 2** is rejected.

12. Regarding **claim 4**, Kobayashi-Sulavuori and Haartsen discloses *wherein the infrared transceiver includes a driver circuit to transmit information to the infrared data port* [see Kobayahsi, page 14, lines 12-15]. By this rationale **claim 4** is rejected.

13. Regarding **claim 5**, Kobayashi-Sulavuori and Haartsen discloses *wherein the infrared transceiver includes a receiving circuit to receive information from the infrared data port* (Kobayashi teaches a transceiver/receiver circuit), [see Kobayashi, page 12, lines 15-20]. By this rationale **claim 5** is rejected.

14. Regarding **claim 6**, Kobayashi-Sulavuori and Haartsen discloses *comprising a housing* (Kobayashi teaches and option apparatus for a portable telephone), [see Kobayashi, page 22, lines 14-16 and Figure 5b]. By this rationale **claim 6** is rejected.

15. Regarding **claim 7**, Kobayashi-Sulavuori and Haartsen further discloses *a system* [see Kobayashi, Figure 9, portable type computer, see page 35 lines 1-13 base station, portable telephone, and portable computer comprise a network] *comprising: a computing device including an infrared data port* [see Kobayashi, Figure 9, item 31), *the infrared port configured to send and receive information to a radio frequency data system* [see Kobayashi, page 35, lines 13-15)] *the radio frequency* data system [see Kobayashi, page 35, lines 1-3] *in communication with the network and configured to send and receive information* [see Kobayashi, page 35, lines 15-17 and page 36 lines 4-8]; *and an adapter to transfer information between the infrared data port and the radio frequency data system* [see Kobayashi, Figure 9, item 1], *the adapter including: an infrared transceiver to transmit and receive information to and from the infrared data port* [see Kobayashi, page 35, lines 23-27]; *a radio frequency transceiver to transmit and receive information to and from the radio frequency data system* [see Kobayashi, page 36, lines 1-4];

and a processor [see Kobayashi, see figure 3, control circuit CPU 120] *coupled to the infrared transceiver and the radio frequency transceiver* [see Kobayashi, figure 9, radio transmitter/receiver 11 and infrared transmitter/receiver 163] *to convert information received from the infrared transceiver to a radio frequency format for transfer to the radio frequency data system and to convert information received from the radio frequency transceiver to an infrared format for transfer to the infrared data port* [see Sulavuori, Col. 8, lines 47-67, Col. 9, lines 1-28 and Col. 10, lines 5-14]. By this rationale **claim 7** is rejected.

16. Regarding **claim 8**, Kobayashi-Sulavuori and Haartsen further discloses *wherein the computing device is a portable computer* [see Kobayashi, Figure 9, portable type computer]. By this rationale **claim 8** is rejected.

17. Regarding **claim 9**, Kobayashi-Sulavuori and Haartsen further discloses *wherein the adapter physically connects to the computing device* [See Kobayashi, page 2, lines 21-23]. By this rationale **claim 9** is rejected.

18. Regarding **claim 10**, Kobayashi-Sulavuori and Haartsen further discloses *wherein the adapter is a stand-alone unit* [see Kobayashi, semi-fixedly inserted page 22, lines 14-16 and see option apparatus for portable telephone Figure 5b] *that communicates with the computing device* [see Kobayashi, Figure 4, portable telephone comprises control circuit 22 w/CPU 120] *over an infrared communication link* [see Kobayashi, Figure 5b infrared type connection apparatus 29 and 16]. By this rationale **claim 10** is rejected.

19. Regarding **claim 11**, Kobayashi-Sulavuori and Haartsen further discloses *wherein the adapter further comprises a buffer to provide temporary storage for information converted by*

the processor [see Kobayashi, memory circuit page 13, line 15]. By this rationale **claim 11** is rejected.

20. Regarding **claim 13**, Kobayashi-Sulavuori and Haartsen further discloses *wherein the infrared transceiver includes a driver circuit to transmit information to the infrared data port* [see Kobayashi, page 14, lines 12-15]. By this rationale **claim 13** is rejected.

21. Regarding **claim 14**, Kobayashi-Sulavuori and Haartsen further discloses *wherein the infrared transceiver includes a receiving circuit to receive information from the infrared data port* [see Kobayashi, page 12, lines 15-20]. By this rationale **claim 14** is rejected.

22. Regarding **claim 15**, the limitations of this claim are substantially the same as that of claims 1 and 7, and thus are rejected for the same rationale in rejecting claims 1 and 7. Furthermore, with regards to the limitations of a plurality of infrared data ports (It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a plurality of computing devices having infrared data ports, a plurality of infrared transceivers, and a processing means in communication with said plurality of infrared transceivers because the optimization of proportions in a prior art device is a design consideration within the skill of the art). In re Reese, 290 F.2d 839, 129 USPQ 402 (CCPA 1961). By this rationale **claim 15** is rejected.

23. Regarding **claim 16**, Kobayashi-Sulavuori and Haartsen further discloses *a method for wirelessly connecting a computing device to a network* [see Kobayashi, Figure 9, portable type computer and page 35 lines 1-13 base station, portable telephone, and portable computer comprise a network], *comprising: receiving information over an infrared communication link from a remote computing device* [see Kobayashi, page 35, lines 18-23]; *converting the*

information from an infrared format to a radio frequency format at a processor [see Sulavuori, Col. 8, lines 47-67, Col. 9, lines 1-28 and Col. 10, lines 5-14]*; and communicating the information to the network over a radio frequency link* [see Kobayashi, page 36, lines 4-5]. By this rationale **claim 16** is rejected.

24. Regarding **claim 17**, Kobayashi-Sulavuori and Haartsen further discloses *receiving information over a radio frequency communication link from the network* [see Kobayashi, page 35 lines 1-13 base station, portable telephone, and portable computer comprise a network]; *converting the information from a radio frequency format to a infrared signal at a processor* [see rejection of claim 16, supra]; *and communicating the information to the computing device over an infrared communication link* [see rejection of claim 16, supra]. By this rationale **claim 17** is rejected.

25. Regarding **claim 21**, Kobayashi-Sulavuori and Haartsen further discloses *wherein the adapter further comprises a buffer to provide temporary information storage* [see Kobayashi, memory circuit page 13 line 15]. By this rationale **claim 21** is rejected.

26. Regarding **claim 22**, the limitations of this claim are substantially the same as that of claim 1, and are thus rejected for the same rationale in rejecting claim 1.

Claim Rejections - 35 USC § 103

27. **Claims 3 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi-Sulavuori and Haartsen as applied to claims 1, 7, 15, 16, 17 and 22 above, and further in view of well known in the art.

28. Regarding **claim 3**, Kobayashi-Sulavuori discloses the invention substantially as claimed. Kobayashi-Sulavuori does not explicitly teach the adapter further comprising a power supply in communication with the processor. Kobayashi teaches *the adapter* (option apparatus) *for the telephone is electrically connected to the portable telephone* (page 2, lines 21-23). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kobayashi to include a power supply because in order for the adapter to be electrically connected a power supply must be present. By this rationale **claim 3** is rejected.

29. Regarding **claim 12**, Kobayashi-Sulavuori and Haartsen and well known in the art teaches the invention as claimed as noted above; However, Kobayashi- Sulavuori does not explicitly teach the adapter further *comprises a power supply coupled to the microprocessor.* Kobayashi teaches *the adapter* (option apparatus) *for the telephone is electrically connected to the portable telephone* (page 2, lines 21-23). By this rationale **claim 12** is rejected.

Response to Arguments

30. Applicant's arguments include the failure of previously applied art to expressly disclose Kobyashi-Sulavuori does not discloses or suggest an adapter that includes a Bluetooth transceiver to transmit and receive information to an from a data system via a Bluetooth interface (See Applicant's Response, dated 21 September 2004, pages 9-13). It is evident from the detailed mappings found in the above rejection(s) that Kobyashi-Sulavuori and Haartsen disclosed this functionality (see Haartsen, Figure 4, Col. 4, lines 35-64). Further, it is clear from the numerous teachings (previously and currently cited) that the provision for an adapter that

includes a Bluetooth transceiver to transmit and receive information to and from a data system via a Bluetooth interface was widely implemented in the networking art. Thus, Applicant's arguments drawn toward distinction of the claimed invention and the prior art teachings on this point are not considered persuasive.

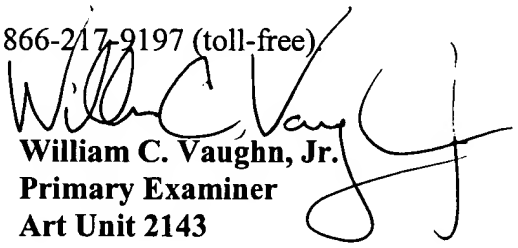
31. Again, it is the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in manner, which distinguishes over the prior art. As it is Applicant's right to continue to claim as broadly as possible their invention. It is also the Examiner's right to continue to interpret the claim language as broadly as possible. It is the Examiner's position that the detailed functionality that allows for Applicant's invention to overcome the prior art used in the rejection, fails to differentiate in detail how these features are unique (see page 6, lines 30-31, page 7, lines 1, 29-31, page 9, lines 21-22). As it is extremely well known in the networking art as already shown by Kobayashi-Sulavuori and Haartsen and other prior arts of records disclosed, utilize Bluetooth technology to convert information received from a infrared transceiver to a Bluetooth protocol format for transfer to a data system and to convert information received from the Bluetooth receiver to an infrared format for transfer to an infrared data port as well as other claimed features of Applicant's invention. Thus, it is clear that Applicant must submit amendments to the claims in order to distinguish over the prior art use in the rejection that discloses different features of Applicant's claim invention.

Conclusion

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William C. Vaughn, Jr.
Primary Examiner
Art Unit 2143

WCV